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ABSTRACT

The No Child Left Behind Act (NCLB) amends and changes programs from the Elementary and Secondary Education Act. Although the main component of this bill is Title I, it also highlights teacher education quality. NCLB was accompanied, for fiscal year 2002, by the largest increase ever in federal education aid, targeting federal resources to support state and local school improvement efforts for children most at risk, with an emphasis on reading instruction. This Digest presents definitions used in Title IX: highly qualified teacher, beginning teacher, professional development, core academic subjects, and scientifically based research. It describes accountability, explaining that states receiving Title I aid through NCLB must develop yearly report cards documenting students' success in meeting NCLB achievement goals. States must also advise the federal government of the number of teachers who are not fully licensed, are teaching under an emergency credential or license waiver, and are not teaching in the field in which they were prepared and have demonstrated competence. Districts must offer parents information on the professional qualifications of classroom teachers. In November 2002, the Department of Education released its final regulations regarding NCLB, clarifying that states can integrate adequate yearly progress into their existing accountability systems and that all core subject teachers must be highly qualified by 2005-06. (SM)

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By

Christopher Trahan

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Purpose of the Act

First enacted in 1965, and last reauthorized in 1994, the most recent reauthorization of the Elementary and Secondary Education Act (ESEA) was signed into law by President George W. Bush on January 8, 2002 (P.L. 107-110). Since its inception, as part of President Lyndon B. Johnson's "Great Society" programs, it has been reauthorized (or amended) approximately every five years. Each of these reauthorizations have given the Administration and Congress the opportunity to add, delete, or modify provisions in the law in response to current demands and expectations.

As the latest incarnation of ESEA, the No Child Left Behind Act (NCLB) amends and changes in many ways programs in the Elementary and Secondary Education Act. Although the main component of this bill is Title I, the government's flagship aid program for disadvantaged students, section II of NCLB focuses on teacher education quality.

NCLB was also accompanied, for fiscal year 2002, by the largest increase ever in federal education aid. The 18 percent increase means that for the 2002-2003 school year, money the federal government is investing in educating America's youth increased from $18.6 billion to $22.1 billion. The bulk of the appropriated $22.1 billion, roughly 40 percent of the entire U.S. Department of Education's budget, was sent to states and school districts according to a detailed formula that reflects the number of school age children and families living in poverty. NCLB targets federal resources to support state and local school improvement efforts for children most at risk, with an emphasis on reading instruction.

Although most federal dollars in NCLB are directed to high-poverty local schools through Title I, part of the school improvement plan will focus on enhancing the quality of teachers and administrators. Language in the bill states that all Title I schools are expected to hire only "highly qualified" teachers, and within four years, ensure that all teachers are assigned to teach in their field, are fully licensed, and meet other criteria outlined in the law.

Definitions

Definitions used throughout the law are found in Title IX. Some of the most important of these for the teacher education community are: highly qualified teachers, beginning teacher, professional development, core academic subjects, and scientifically based research. (Title IX)

Highly Qualified Teacher—NCLB, for the first time since the original enactment of the ESEA, defines a highly qualified teacher. In order to be identified as a highly qualified teacher, new elementary or secondary teachers must have full state certification and/or pass the state's licensing examination. Those at the public elementary level must demonstrate, by passing rigorous state tests, subject knowledge in reading/language arts, writing, mathematics, and other areas of the basic elementary school curriculum. Elementary level teachers must have at least a bachelor's degree. Those beginning teachers at public middle and high school levels must pass a rigorous state test in each academic subject in which they teach or hold a bachelor's degree in the particular subject

Beginning Teacher—NCLB defines a beginning teacher as an educator who has been teaching no more than a total of three complete school years.

Practicing teachers must also meet the states "highly qualified" standard with emphasis on holding full certification and demonstrating subject-matter competency. States are to develop systems to assess the qualifications of practicing teachers, but these criteria remain undefined.

Congress expected that in 2002, beginning teachers in schools receiving funds under this law would meet certain standards and that by 2006, all teachers, including existing teachers, will meet these standards.

Professional Development—Under this expansive definition, professional development includes activities that:

- improve teachers' knowledge of academic subjects they teach;
- are part of school wide educational improvement plans;
- will help them teach students to meet challenging standards;
- improve classroom management skills;
- are high quality, sustained, intensive and classroom focused;
- support teacher recruitment, hiring, and training;
- are connected to effective instructional practices based on scientifically based research;
- substantially increase the knowledge and teaching skills of teachers;
- are aligned with state standards;
- are developed with participation of K-12 educators and parents;
- assist teachers of limited English proficient (LEP) children;
- provide training in the use of technology as it relates to improving performance in core academic subjects;
- are regularly evaluated for impact;
- provide instruction in methods of teaching children with special needs;
- include instruction in the use of data and assessments;
- may include instruction in working with parents,
- may involve partnerships between K-12 schools and institutions of higher education to provide prospective and beginning teachers with an opportunity to work under the guidance of experienced teachers and college faculty;
- and may help paraprofessionals—teaching or classroom aides who assist teachers with routine activities—meet state standards.

Unless otherwise stated in the law, this definition applies to any professional development reference in NCLB.

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Core Academic Subjects—As defined in Title IX of NCLB, the term core academic subjects include English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography. (NCLB Final Regulations, 2002)

Scientifically Based Research—Virtually all school improvement activities in NCLB are to be founded on "scientifically based research", which is defined as research that involves the application of rigorous, systematic, and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs. (NCLB, 2001) The research may use measurement or observational methods, but must employ rigorous data to analyze and test the stated hypothesis. Unless otherwise noted in the law, this definition applies to all references to scientifically based research.

Definitions of highly qualified teachers, professional development and scientifically based research all hold implications for the preparation of teachers for Title I schools. It remains to be seen if the funds available will be sufficient to help states, schools districts and schools, meet the goal of having highly qualified teachers in each classroom by 2006.

Accountability

As required by law, States receiving Title I aid through this act must develop yearly report cards documenting the success of their students in meeting achievement goals outlined in NCLB.

By the 2005 - 2006 school year, states must begin testing students in grades 3-8 annually in reading and mathematics. The tests must be aligned with state academic standards. A representative sample of students in the 4th and 8th grades in each state must also participate in the National Assessment of Educational Progress (NAEP) testing program in reading and mathematics every year to assure alignment of the state assessment process with national standards. States will use information gathered from these tests to determine whether a school is failing. Schools and districts that do not show adequate yearly progress will be described as low performing. Title I schools who fail to meet Adequate Yearly Progress (AYP) for two years in a row will be identified as requiring corrective actions. Struggling schools could receive extra resources, but also could be reorganized, or even abolished.

Additionally, in this progress report, states must also advise the federal government of the number of teachers who are not fully licensed, who are teaching under an emergency credential or license waiver, and who are not teaching in the field in which they were prepared and have demonstrated competence.

In addition, at the beginning of each new school year, school districts must provide to parents of students attending Title I schools, information regarding the professional qualifications of the student's classroom teacher. This information includes whether the teacher has met State qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

Parents are also entitled to know whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived, and whether the teacher assigned to the students classroom is a "highly qualified" teacher.

Final Regulations for NCLB

In August 2002, the Department of Education released proposed regulations on part A of Title I of the No Child Left Behind Act of 2001 (PL 107-110) and invited the public to submit comments regarding the proposals.

On November 26, 2002, after reviewing over 700 comments, the Department of Education released its final regulations regarding the No Child Left Behind Act. The 377 page document covers most aspects of Title I including accountability, school choice and teacher quality. Other provisions in the proposed regulations include: Adequate Yearly Progress (AYP); Schoolwide Programs; Local Education Agency (LEA) and School Improvement; Allocations to LEAs; and Fiscal Requirements. The final regulations are in effect as of January 2, 2003 (U.S. Department of Education, 2002).

The final regulations clarify that states can integrate AYP—the formulas by which they define failing schools—into their existing accountability systems. It is likely that some state officials will have to revisit accountability systems that have been developed in recent years to meet the new law's AYP requirements.

The final regulations maintain that all teachers of core subjects must be highly qualified by 2005-2006. Because students with limited English proficiency and students with disabilities must meet the same standards as all other students, their teachers must meet the same standards for content knowledge as other teachers. However, special educators who do not directly instruct students on any core academic subject, or who only provide consultation to highly qualified teachers of core academic subjects in adapting curricula, using behavioral supports and interventions, and selecting appropriate accommodations, are not subject to the same requirements that apply to teachers of core academic subjects (U.S. Department of Education, 2002).

While building on the foundation of the Elementary and Secondary Education Act, and retaining the prior legislation's basic framework of standards, assessments, and accountability, NCLB implements some significant changes in the way schools will go about educating our nation's youth, particularly in regard to increased accountability for states, school districts, schools and our nation's colleges of education.

References

References identified with an EJ or ED number have been abstracted and are in the ERIC database. Journal articles (EJ) should be available at most research libraries; most documents (ED) are available in microfiche collections at more than 900 locations. Documents can also be ordered through the ERIC Document Reproduction Service: (800) 443-ERIC.

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